IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE

Writ Petition No. 2473 of 2006

Shri Nandkumar Anant Vaity
and others ..Petitioners

vs.

1. Mrs.S.Parkodi and ors. ..Respondents

Shri J.Shekhar i/b Shri J.Shekhar and Co. for petitioners.
Shri Y.S.Jahagirdar, Sr.Counsel i/b Shri U.S.Shetty for respondent no.1.
Shri R.M.Patne, A.G.P. for respondent no.2.

CORAM: S.B.MHASE J.
26th April, 2006

P.C.

1. Heard the learned Counsel for the parties.

2. Perused the report filed by the Receiver appointed by the Cooperative Court. First report shows that the land was vacant. The second report shows that certain encroachments were made on the land. All the petitioners are reflected in the second report of the Receiver. The present petitioners are not the parties to the dispute. It appears that after appointment of the Receiver attempts have been made by these persons to enter into the property and thereafter they are trying to join them as parties to the litigation. However, their application to join them as parties have been finally rejected by this Court in Writ Petition Nos. 1933 of 2004, 1934 of 2004 and 1935 of 2004 decided by order dated 7th and 13th December, 2004. Thus the present petitioners are not the parties to the dispute before the Cooperative Court. All observations

made in respect of the parties to the suit reflected from the order of this Court are applicable to the parties to the suit and not to the persons who are not parties to the suit. Under these circumstances, the directions given by the Cooperative Court to the Receiver are proper and justifiable and further steps taken by the Receiver are also proper and just. No interference is called for. Petition is rejected.

(S.B.MHASE J.)